

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

JASON CENTERS,

Case No.: 2:23-cv-11036

Plaintiff,

Honorable

v.

Magistrate

AMTRAK

Defendant.

/

COMPLAINT

NOW COMES Plaintiff, Jason Centers, by and through counsel undersigned, O'Bryan Baun Karamanian, complaining against Defendant as follows:

1. Jurisdiction and venue lie in this action, Defendant conducting business within this forum's boundaries.
2. Jurisdiction is founded under the Federal Employers' Liability Act (FELA) (45 USC 51, *et seq.*), based on violation of the safe place to work doctrine.
3. At all times material to issues herein Plaintiff served as an employee of the Defendant common carrier by rail, with all acts and/or omissions giving rise to this action occurring in the course of Plaintiff's employment.
4. On or about April 8, 2022, Plaintiff along with his group of four were safety briefing the lifting of a passenger car. No one was supposed to touch the car except the jacking crew. A new air brake worker unknowingly came over and put his impact wrench on the valve block. He pulled the trigger on his impact and there was an uncontrolled release of air. Plaintiff was in the direct line of the explosive air and noise and suffered a closed head injury because of said negligence and/or failure to provide a safe place to work.

5. Defendants' wrongful acts aforesaid caused or contribute to Plaintiff's damages, *inter alia*, as follows:

- a. Pain and suffering, past future.
- b. Mortification, humiliation, fright shock and embarrassment.
- c. Loss of earnings and earning capacity or power.
- d. Hospital, pharmaceutical and other cure expenses.
- e. Aggravation of prior condition, if any there be.
- f. Inability to engage in social, recreational, and other pursuits previously enjoyed.
- g. Mental anguish.

WHEREFORE, Plaintiff demands trial by jury and judgment against Defendant(s), together with interest, costs, attorney fees and expenses, all to be methodically adjusted upwards during the pendency of this cause.

Respectfully submitted,

O'Bryan Baun Karamanian

/s/ Dennis M. O'Bryan
Dennis M. O'Bryan (P30545)
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DEMAND FOR TRIAL BY JURY

NOW COMES Plaintiff by and through counsel undersigned, O'Bryan Baun Karamanian, and hereby demands trial by jury in the above-referenced cause of action.

Respectfully submitted,

O'Bryan Baun Karamanian

/s/ Dennis M. O'Bryan

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